

BILL NO. S-74-03-26

SPECIAL ORDINANCE NO. S-

44-74

AN ORDINANCE approving a certain bid document with MOELLERING CONSTRUCTION CO., for Pond improvements for Reservoir Park, Open Space Land Program Part II, Sub-Project A-HUD Open Space Project OSC-1008.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDAINA:

SECTION 1. A certain bid document ref. no. 575 dated March 15, 1974, between the City of Fort Wayne, by and through its Mayor and Board of Park Commissioners and Moellering Construction Co., for:

Open Space Land Program-Part II
H.U.D. Project No. OSC-1008
Resolution No. R-41-73

Item 1- Unit Price Contracts
Sub Project A-Pond I Improvements - Reservoir Park
Pond excavating, sidewalk construction and Alternate
No. 2 (Substitution of concrete retaining wall
in lieu of Item 3), sheeting of variable lengths. \$182,232.00

as more specifically set forth in said bid document ref. no. 575 and Purchase Order No. 3-23572 which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Runga
COUNCILMAN

APPROVED AS TO FORM
AND LEGALITY.

Michael B. Lee
CITY ATTORNEY

Read the first time in full and on motion by Hengst, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 3-26-74.

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Hengst, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES <u>8</u>	NAYS <u>1</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	_____	<u>✓</u>	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 4-9-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-44-74 on the 9th day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 10:15 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A. M., E.S.T.

Edward J. Kammerman
MAYOR

Bill No. S-74-03-26

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a certain bid document with MOELLERING CONSTRUCTION CO. for
Pond improvements for Reservoir Park, Open Space Land Program
Part II, Sub-Project A-HUD Open Space Project OSC-1008

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Winfield C. Moses, Jr.

Paul "Mike" Burns

William T. Hinga

John Nuckols

James S. Stier

Winfield C. Moses, Jr.

Paul "Mike" Burns

DATE 4-9-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

MEMO FROM PURCHASING DEPARTMENT

March 21, 1974

Board of Park Commissioners
8th Flr., City-County Bldg.
One Main St., Ft. Wayne, Ind. 46802

Attention: Dennis Noak Subject: Bid No. 575

Attached is a copy of the successful bidder.

Moellering Construction Company, Inc. (BO. 3-23572)

Open Space Land Program Part II, Subproject A - Pond Improvements
for Reservoir Park - HUD Open Space Project OSC-1008

Unit prices based on engineers estimate for
approximated quantity of \$172,652.00 and Alternate
No. 2 (Substitution of concrete retaining wall
in lieu of Item 3), sheeting of variable lengths
for an additional \$9,580.00.

Total Bid Price: \$182,232.00

Tabulation sheet is attached.

A handwritten signature, possibly reading "J. Kelly", is written in ink over the bottom right portion of the document.

ID REF. 575

CLOSING DATE 3/15/74

Park Department

Item 1

(Alternate 1)

(Alternate 2)

(Alternate 3)

Lauer Construction

John Dehner, Inc.

Afd. O.K.
Bond

195,591.60.

2,500.00

112,424.40

34,200.00

Hipskind Asphalt

Afd. O.K.
Bond

207,590.00

5,000.00

148,500.00

24,000.00

Ilkworth Construction

Moellering Construction

Afd. O.K.
Bond

172,652.00

2,500.00

96,030.00

22,200.00

Luguenard Corporation

TABULATION OF BIDS

OPEN SPACE LAND PROGRAM - Part II

MULTIPURPOSE BUILDING
RESERVIOR PARK

(Page 2)

BID REF. 575

CLOSING DATE 3/15/74

Item 2

Lauer Construction

John Dehner

No Bid

Hipskind Asphalt

No Bid

Silkworth Construction

Moellering Construction

No Bid

Huguenard Corporation

To A. T. Demetroff, Department of Purchases Date March 20, 1974
From Dennis Noak, Park Department *DM*
Subject Bid Reference #575

Copies to

B. Gentner

Please approve the bid from Moellering Constuction Co., Inc. for Open Space Land Program Part II, Subproject A - Pond Improvements for Reservoir Park and accept base bid (unit prices based on engineers estimate for approximated quantity) of \$172,652.00 and Alternate No. 2 (substitution of concrete retaining wall in lieu of Item 3, sheeting of variable lengths) for an additional \$9,580.00.

Total Bid is One Hundred Eighty Two Thousand, Two Hundred Thirty Two Dollars and no cents. (\$182,232.00)

*Ples return as ASAP
want to have it ready for
Council on March 26th
Dennis*

CITY OF FORT WAYNE
DEPARTMENT OF PURCHASES
 Number One Main St., Ft. Wayne, Ind. 46802
INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

Mail all replies and correspondence, etc.

Attn: of A.T. Demetroff

DEPARTMENT OF PURCHASES

Room EE, Number One Main St., Ft. Wayne, Ind. 46802

REQUIRED FOR DELIVERY TO:

Department Board of Park Commissioners
 or Division 8th Flr., City-County Bldg.
One Main St., Ft. Wayne, Ind. 46802

Address _____

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Friday, March 15, 1974 at 10:00 A.M.
 Time of Bids _____

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 14688. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 19 on reverse hereof for details.
TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Open Space Land Program - Part II H.U.D. Project No. OSC-1008 Resolution No. R-41-73		
		<u>Item 1 - Unit Price Contracts</u> Sub Project A - Pond Improvements - Reservoir Park Pond excavation, sidewalk construction and metal sheeting installation <u>TOTAL BASE BID</u>		<u>\$172,652.00</u>
		<u>Item 2 - Lump Sum</u> Sub Project B - Multipurpose Building - Reservoir Park		

1 Bond required ☐ YES ☒ 5% of Total Bid Performance Bond ☐ YES ☒ _____
 See instruction item No. 16 on reverse side hereof.
_____ % cash discount if paid within _____ days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the delivery of any or all of the items or completion of services indicated shall be made within _____ days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

McClary Construction Co., Inc.

For _____
Don Mcclary Title Pres.

Address _____

McClary Construction Co., Inc.

Page 1 of 5

Ref. No. 575

Date February 22, 1974

Date wanted _____

Fund _____
 Appropriation No. 35-967-2

REVISED
BID SUPPLEMENT

Sheet No. 1 of 2

Project: Open Space Land Program

OSC-1008

Item No.	Description	Unit	Approx. Quantities	In Figures	Bid Price	Extension - Quantity Times Price
					Written in Words	
1	Special Excavation	C.Y.	12,000	\$ 2.80	Two Dollars Eighty Cents	33,600.00
2	Common Excavation	C.Y.	6,000	2.10	Two Dollars Ten Cents	12,600.00
3	Sheeting of Variable lengths - 7 ft. & 12 ft.	S.F.	17,500	4.94	Four Dollars Ninety-four Cents	86,450.00 ✓
4	Tieback in Place Complete	Each	7	280.00	Two Hundred Eighty Dollars	1,960.00
5	Fire Hydrant in Place Complete	Each	1	700.00	Seven Hundred Dollars	700.00
6	Revamping Drainage Structure	Each	1	410.00	Four Hundred Ten Dollars	410.00
7	Special Gravel Backfill As specified in Sewer Notes	C.Y.	300	7.80	Seven Dollars Eighty Cents	2,340.00
8	5" Deep Variable Width "Tiech Reinforced" Sidewalk	S.F.	9,900	1.13	One Dollar Thirteen cents	11,187.00
9	8" V.C.P. C-200 "C" Ring	L.F.	600	7.05	Seven Dollars Five Cents	4,230.00

CD-12

Item No.	Description	Unit	Approx. Quantities	Bid Price		Extension - Quantity Times Price
				In Figures	Written in Words	
10	48" Manhole City of Fort Wayne Standard	Each	3	\$600.00	Three Hundred Dollars	\$1800.00
11	Standard City of Fort Wayne Clean out	Each	1	210.00	Two Hundred Ten Dollars	210.00
12	Sidewalk Removal	S.Y.	650	2.50	Two Dollars Fifty cents	1625.00
13	Seeding & 2" Mulch Cover	S.Y.	13,000	0.97	Ninety-seven cents	12,610.00
14	#2 Stone Bedding	C.Y.	90	7.00	Seven Dollars	630.00
15	Bridge Breakdown and on Site Spoil	Each	1	2300.00	Twenty three Hundred Dollars	2300.00
				TOTAL BASE BID ITEMS #1 THRU #15		\$172,652.00

CD-13

REVISED
BID ALTERNATES

Sheet No. 1 of 1

Project: Open Space Land Program
OSC -- 1008

Item No.	Description	Unit	Approx. Quantities	Bid Price		Extension - Quantity Times Price
				In Figures	Written in Words	
1	Intact Bridge Relocation	Each	1	\$ 2500.00	Twenty five Hundred Dollars	\$ 2500.00
2	Concrete Retaining Wall in lieu of Sheeting	L.F.	1,980	48.50	Forty Eight Dollars fifty cents	\$ 96,030.00 ✓
3	Special Excavation with Use of City Trucks	C.Y.	12,000	1.85	One Dollar Eighty-five Cents	\$ 22,200.00
	The Bidder acknowledges the receipt of the following addenda:					
	Addendum #1	dated March 8, 1974				
	Addendum #2	dated March 14, 1974				

CD-14

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,

Allen } SS:
----- COUNTY

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Moellering Constr. Co., Inc.
-----By Gen. Moellering Pres.

Bidder or AgentFor Moellering Constr. Co., Inc.

Firm or CorporationSubscribed and sworn to before me this 15 day of Feb, 1971

My Commission Expires

July 29, 1975John Roelking

REQUEST FOR PUBLICATION

News	X
Sentinel	X
Journal	X
Gazette	X
Other	

DATE February 22, 1974

Kindly publish the following
advertisement on the dates as
shown and issue invoice to *

* Department Board of Park Commissioners
8th Flr., City-County Bldg.
Address One Main St., Ft. Wayne, Ind. 46802

Department of Purchases
City of Fort Wayne

By *[Signature]*

BIDS WANTED - REFERENCE NO. 575

Sealed Proposals will be received by the City of Fort Wayne at the
Office of Department of Purchases, Number One Main Street, Room
470, Fort Wayne, Indiana, until 10:00 A.M., Friday, March 15, 1974
for the following items:

See Page 4A of 5

Bid Forms, specifications, etc., may be obtained upon application at
the office and address given above. \$25.00 Deposit Required
A Bid Bond or Certified Check in the amount of \$ 5% of Total Bid
must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By A.T. Demetroff
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

March 1, 1974

March 8, 1974

LEGAL NOTICE
X

Open Space Land Program - Sub Project A and C for the City of Fort Wayne,
Indiana, Resolution No. R-41-73

Item 1

Pond Improvements - Reservior Park
Pond excavation, sidewalk construction
and metal sheeting installation

Item 2

Multipurpose Building - Reservior Park

"Each Bidder must submit a written Affirmative Action Program
with his or her bid."

"The Affirmative Action Program must include specific goals and
timetables for the employment and training of minorities; and for
the employment and training of lower income residents of the
project area."

"Each Bidder must insure that all employees and applicants for
employment are not discriminated against because of their race,
creed, color, sex or national origin."

PROPOSAL AND BID SURETY FORM

PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of five percent (5%) of the Total Price
Bid Dollars,
to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

BID CHECK (ALTERNATE FORM OF SURETY):

Certified ☐

Cashiers ☐ Check No. in the sum of Dollars

ON Bank
of
is herewith submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond.
Note: If Check is used as Bid Surety—Attach here.

SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER
AND
PRINCIPAL

Moeller Const. Co., Inc.

Name of Bidder—Print or Type

By Robert G. Moeller

Signature of Person Authorized to Sign

Title Pres.

PO Box 1168

Street Name and Number

Ft. Wayne, Ind. 46801

City, State and Zip Code

Date Mar. 15, 1974

Witnessed by: ASTE

Moeller Const. Co., Inc.

Authorized Agent

Robert G. Moeller

President

SURETY

Reliance Insurance Company

Name of Company — Print or Type

Incorporated

In the State of: Pennsylvania

Address 44 Broad Street Plaza

By Donald R. Bluff

Sign on this Line

Date 3-15-74

RELiance INSURANCE COMPANY

HEAD OFFICE, PHILADELPHIA, PENNSYLVANIA

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the RELIANCE INSURANCE COMPANY, a corporation duly organized under the laws of the State of Pennsylvania, does hereby make, constitute and appoint C. H. Yaste, Arthur C. Frericks, Donald T. Belbutowski, Fred S. Rye, Gerald A. Dahle, Leonard Shirley, Josephine E. Stackhouse and Lane I. Grile, individually, of Fort Wayne, Indiana, its true and lawful Attorney-in-fact, to make execute, seal and deliver for and on its behalf, and as its act and deed any and all bonds and undertakings of Suretyship.

and to bind the RELIANCE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the RELIANCE INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of RELIANCE INSURANCE COMPANY which became effective May 11, 1962, which provisions are now in full force and effect, reading as follows:

ARTICLE VII - Execution of Bonds and Undertakings

SECTION 1. The Board of Directors, the President, or any Vice-President or Assistant Vice-President shall have power and authority to: (a) appoint Attorneys-in-fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-fact at any time and revoke the power and authority given to him.

SECTION 2. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of RELIANCE INSURANCE COMPANY at a meeting held on the 8th day of May, 1959, at which a quorum was present, and said Resolution has not been amended or repealed:

"Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the RELIANCE INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed, this 21 day of March, 1973

RELiance INSURANCE COMPANY

STATE OF Pennsylvania } ss.
COUNTY OF Philadelphia }

On this 21 day of March, 1973, personally appeared J. H. McDermott

, to me known to be the Vice-President of the RELIANCE INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII Section 1 and 2 of the By-Laws of said Company, set forth therein, is still in full force.

My Commission Expires:

April 26, 1976

I, E. Clyde Wilber, Assistant Secretary of the RELIANCE INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said RELIANCE INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 15 day of March, 1974



City of Fort Wayne

DEPARTMENT OF PUBLIC PARKS
CITY - COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IND. 46802

March 21, 1974

The Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

The attached copy of City Purchase Order 3-23572, covers pond improvements for Reservoir Park, Open Space Land Program Part II, Open Space Project OSC-1008, which is now under implementation.

The lowest and best bid received is being accepted.

Since this Open Space Project is under way, and since the contractor and suppliers need certain lead times to maintain the designated schedule, and since the implementation of this project is under a strict time schedule, the Park Department and the Office of the Mayor respectfully request prior approval of this contract.

The Ordinance covering this purchase order has been submitted, and the appropriate bid documents are attached to the Ordinance.

Very truly yours,

James Haley
James Haley
Business Manager

JH/ho

Attachments: Copies of
P.O., Bids

APPROVED

William T. Hinga *John Spuckler* *Virgil L. Schmidt*
Samuel J. Talarico *William A. Moore* *John J. Brown*
Eugene Krampf *James H. Hest*

MEMBERS OF THE COMMON COUNCIL

DIGEST SHEETTITLE OF ORDINANCE D-74-03-26DEPARTMENT REQUESTING ORDINANCE Park Department

SYNOPSIS OF ORDINANCE An ordinance approving certain bid documents
with Moellering Construction Company, Inc. for Pond Improvements for
Reservoir Park, Open Space Land Program Part II, Sub-Project A - HUD
Open Space Project OSC-1008. This Bid was the lowest and best of
those received.

EFFECT OF PASSAGE Provides for the renovation and improvement of
the Reservoir Park Pond and permits progress on this Open Space Project,
providing an improved recreational area for the neighborhood.

EFFECT OF NON-PASSAGE Unable to proceed with Project.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

\$182,232.00ASSIGNED TO COMMITTEE (J. N.) Finance